

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

SHERRI PRATHER,

Plaintiff,

v.

No. 2:13-cv-00963-MV-SMV

MCLANE FOODSERVICE, INC. and  
MAURICE PEREA,

Defendants.

**STIPULATED ORDER GRANTING MEDICAL EXAMINATION**

THIS MATTER having come before the Court on the stipulation of the parties to a medical examination of Plaintiff, and the Court having otherwise been informed in the premises, hereby ORDERS as follows:

1. Plaintiff will appear for a medical examination by Richard Radecki, M.D., and Daniel C. Wascher, M.D., beginning at 2 p.m. on July 17, 2014, at Medical Rehabilitation Center, 3874 Masthead St. NE, Albuquerque, N.M. 87109.

2. Defendants will pay for the medical examination.

3. Defendants will reimburse Plaintiff for mileage from her home in Socorro, New Mexico, to Medical Rehabilitation Center, and back. The reimbursement rate will be 56 cents per mile, which is the 2014 Internal Revenue Service standard mileage rate for business travel.

4. Pursuant to Plaintiff's request, she will be permitted to bring an audio recorder and record the interview portions of the examination, only. She alone is responsible for recording that aspect of the examination. If a recording is made, the costs of the recording will be borne by Plaintiff or her attorneys. Plaintiff will provide counsel for the Defendants a

complete, unedited copy of any such recording. If the recording is made in a digital format, the copy shall also be in digital format. The recording process shall be disclosed to the interviewer(s), must be unobtrusive, and may not interfere with the medical examination in any way. Neither Dr. Radecki nor Dr. Wascher, nor staff of Medical Rehabilitation Center, shall be responsible or liable for any issue that may arise from such recording, nor shall they be called as witnesses with respect to the recording process.

5. Plaintiff is entitled to have a female nurse or female chaperone present during the medical examination. No attorney or agent for either party, or third persons not directly related to the examination, will be present during the medical examination.

6. No attorney or agent for either party shall submit written questions to be asked of Plaintiff during the medical examination.

7. Drs. Radecki and Wascher will issue a report after completing the medical examination. Drs. Radecki and Wascher shall provide the report simultaneously to counsel for Defendants and counsel for Plaintiff.

IT IS SO ORDERED.



The Hon. STEPHAN M. VIDMAR  
United States Magistrate Judge

STIPULATED AS TO FORM:

ALMANZAR & YOUNGERS, P.A.

/s Approved by J. Youngers via email on 06/23/2014

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